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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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11 IN RE HEWLETT-PACKARD COMPANY  
12 SHAREHOLDER DERIVATIVE LITIGATION

No. 3:12-cv-06003-CRB

**ORDER APPOINTING SPECIAL  
MASTER FOR REVIEW OF SEALING  
REQUESTS**

13 THIS DOCUMENT RELATES TO:

14 ALL ACTIONS  
15 \_\_\_\_\_/

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17 In a letter filed on August 11, 2015, Hewlett-Packard (“HP”) stated that it consents to the  
18 appointment of Judge James Larson as Special Master under the terms outlined in this Court’s Order  
19 Re Appointment of Special Master for Review of Sealing Requests (“Order re Appointment,” dkt.  
20 424). See Letter (dkt. 425). Accordingly, and in light of Judge Larson’s affidavit stating that he has  
21 no ground for disqualification under 28 U.S.C. § 455 (dkt. 426), the Court hereby APPOINTS the  
22 Honorable James Larson (Ret.) as Special Master pursuant to Federal Rule of Civil Procedure 53  
23 under the terms and factors outlined in the Order Re Appointment. The Court reiterates and adds  
24 that Judge Larson is appointed as Special Master for the limited purpose of preparing a  
25 Report and Recommendation on HP’s request to seal documents. In preparing his Report  
26 and Recommendation, the Special Master is specifically directed to consider all objections  
27 filed in this Court in response to the administrative motions to seal. The Special Master is  
28 further directed to proceed with all reasonable diligence under Rule 53(b)(2) and shall do all  
acts and take all measures necessary or proper for the efficient performance of his duties

1 under this Order. Pursuant to Rule 53(b)(2)(B), the Special Master may communicate ex  
2 parte with the Court at any time. The Special Master shall not communicate ex parte with  
3 any party or third party or counsel for any party or third party. Pursuant to Rule 53(b)(2)(C),  
4 the Special Master shall maintain orderly files consisting of any of his written orders,  
5 findings, and recommendations. Filing with the court via the court's Electronic Case Filing  
6 ("ECF") system shall fulfill the Special Masters's duty to serve his findings on the parties.  
7 Pursuant to Rule 53(a)(3), the Court has considered the fairness of imposing the expenses of  
8 the Special Master on the parties. The Court believes that, as the party seeking to maintain  
9 its own documents under seal, HP should be and hereby is deemed responsible for bearing  
10 the cost of the Special Master and JAMS law clerk as necessary under the customary fees  
11 schedules of the JAMS organization. HP has consented to these terms. The Special Master  
12 shall prepare an invoice or invoices for his services, which he shall provide to counsel for  
13 HP. Such invoices shall be paid promptly.

14 Any party wishing to file objections to or a motion to adopt or modify the Special  
15 Master's Report and Recommendation must file such objections or motion with the Court  
16 within ten (10) calendar days from the day the Special Master files the Report and  
17 Recommendation via ECF. The Court will review any timely filed objections or motions  
18 under the directives of Rule 53.

19 **IT IS SO ORDERED.**

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21 Dated: August 17, 2015



CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE